

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
SOUTHEASTERN DIVISION**

**THE GUARANTEE COMPANY OF  
NORTH AMERICA, USA,**

**Plaintiff,**

**vs.**

**MIDDLETON BROTHERS, INC., et al.,**

**Defendants.**

**Case No. 1:10CV11 SNLJ**


**MEMORANDUM AND ORDER**

This matter is before the Court on defendant The Bond Exchange, Inc.'s Motion to Compel Discovery directed to plaintiff (#81). Defendant served written discovery on plaintiff on May 26, 2011. On June 29, plaintiff requested 20-30 more days to respond. Defendant agreed to the extension of time so long as defendant received responses and not objections to its discovery requests on the date certain. Having not heard from plaintiff, defendant filed this motion to compel on August 30, 2011. Plaintiff responded to the motion to compel on September 12, explaining that it needed additional time to serve its responses and that it would serve its discovery responses on that date. Plaintiff suggests that the motion be deferred pending defendant's review of plaintiff's responses. Since that time, neither plaintiff nor defendant has filed anything more regarding this matter, and the Court presumes the matter has been resolved.

Accordingly,

**IT IS HEREBY ORDERED** that defendant The Bond Exchange, Inc.'s Motion to Compel (#81) is **DENIED** as moot.

So ordered this 10th day of November, 2011.

  
UNITED STATES DISTRICT JUDGE